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**BEFORE THE
OIL CONSERVATION DIVISION
NEW MEXICO ENERGY, MINERALS AND
NATURAL RESOURCES DEPARTMENT**

**IN THE MATTER OF THE APPLICATION OF
WESTERN MINERALS & OIL LTD. FOR APPROVAL
OF A PILOT PROJECT FOR PURPOSES OF
DETERMINING PROPER WELL DENSITY AND WELL
LOCATION REQUIREMENTS IN THE SOUTH
BLANCO-PICTURED CLIFFS GAS POOL, SAN JAN
COUNTY, NEW MEXICO.**

CASE NO. 13767

AFFIDAVIT

STATE OF NEW MEXICO)
) ss.
COUNTY OF SANTA FE)

Ocean Munds-Dry, attorney in fact and authorized representative of Western Minerals & Oil Ltd., the Applicant herein, being first duly sworn, upon oath, states that notice of the above-referenced Application was mailed to the interested parties shown on Exhibit "A" attached hereto in accordance with Oil Conservation Division Rules, and that true and correct copies of the notice letter and proof of notice are attached hereto.

Ocean Munds-Dry
Ocean Munds-Dry

SUBSCRIBED AND SWORN to before me this 3rd day of August 2006 by Ocean Munds-Dry.



**OFFICIAL SEAL
LISAMARIE ORTIZ
NOTARY PUBLIC-STATE OF NEW MEXICO**
My commission expires 1/14/07

[Signature]
Notary Public

My Commission Expires: January 14, 2007

BEFORE THE OIL CONSERVATION DIVISION
Santa Fe, New Mexico
Case No. 13767 Exhibit No. 5
Submitted by:
Western Minerals & Oil Ltd.
Hearing Date: September 14, 2006



August 1, 2006

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

TO AFFECTED INTEREST OWNERS

Re: Application of Western Minerals & Oil, Ltd. for Approval of a Pilot Project for Purposes of Determining Proper Well Density and Well Location Requirements in the South Blanco-Pictured Cliffs Gas Pool, San Juan County, New Mexico.

Ladies and Gentlemen:

This letter is to advise you that Western Minerals & Oil, Ltd. has filed the enclosed application with the New Mexico Oil Conservation Division seeking authorization to conduct a pilot project in the SW/4 of Section 24 by producing its Marron Well No. 1 and Marron Well No. 6 for the purposes of determining proper well density and well location requirements in the South Blanco-Pictured Cliffs Gas Pool. Said wells are dedicated to a standard 160-acre spacing or proration unit in Section 24, Township 27 North, Range 8 West, NMPM.

This application has been set for hearing before a Division Examiner on August 31, 2006. The hearing will be held in Porter Hall at the Division's Santa Fe offices located at 1220 South Saint Francis Drive, Santa Fe, New Mexico 87505. You are not required to attend this hearing, but as an owner of an interest that may be affected by this application, you may appear and present testimony. Failure to appear at that time and become a party of record will preclude you from challenging the matter at a later date.

Any person desiring to appear and present technical evidence at the hearing is required by Division Rules 1208 and 1211 to file an entry of appearance five business days in advance of a scheduled hearing, and a prehearing statement four days in advance of the hearing, but in no event later than the Thursday preceding the scheduled hearing date. The prehearing statement must include: the party and the party's attorney; the reasons a party supports or opposes the application; the names and expertise of all witnesses the party will call to testify at the hearing; the approximate time the party will need to present its case; and identification of any procedural matters that are to be resolved prior to the hearing.

Very truly yours,

OCEAN MUNDS-DRY
ATTORNEY FOR WESTERN MINERALS & OIL, LTD.
Enc.

Holland & Hart LLP

Phone [505] 988-4421 Fax [505] 983-6043 www.hollandhart.com

110 North Guadalupe Suite 1 Santa Fe, NM 87501 Mailing Address P.O. Box 2208 Santa Fe, NM 87504-2208

Aspen Billings Boise Boulder Cheyenne Colorado Springs Denver Denver Tech Center Jackson Hole Salt Lake City Santa Fe Washington, D.C. ♻

AFFIDAVIT OF PUBLICATION

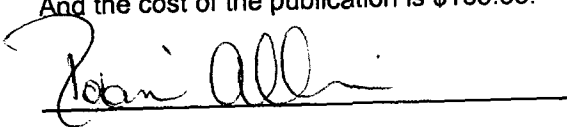
Ad No. 53844

STATE OF NEW MEXICO County of San Juan:

ROBIN ALLISON, being duly sworn says:
That she is the CLASSIFIED MANAGER of
THE DAILY TIMES, a daily newspaper of
general circulation published in English at
Farmington, said county and state, and that
the hereto attached Legal Notice was
published in a regular and entire issue of the
said DAILY TIMES, a daily newspaper duly
qualified for the purpose within the meaning of
Chapter 167 of the 1937 Session Laws of the
State of New Mexico for publication and
appeared in the Internet at The Daily Times
web site on the following day(s):

Monday, August 7, 2006.

And the cost of the publication is \$133.33.


ON 8/15/06 ROBIN ALLISON
appeared before me, whom I know personally
to be the person who signed the above
document.


My Commission Expires November 17, 2008.

COPY OF PUBLICATION

NOTICE OF PUBLICATION

STATE OF NEW MEXICO ENERGY, MINERALS AND NATURAL RESOURCES DEPARTMENT OIL CONSERVATION DIVISION SANTA FE, NEW MEXICO

The State of New Mexico through its Oil Conservation Division hereby gives notice pursuant to law and the Rules and Regulations of the Division of the following public hearing to be held at 8:15 A.M. on August 31, 2006, in the Oil Conservation Division Hearing Room at 1220 South St. Francis, Santa Fe, New Mexico, before an examiner duly appointed for the hearing. If you are an individual with a disability who is in need of a reader, amplifier, qualified sign language interpreter or any other form of auxiliary aid or service to attend or participate in the hearing, please contact Florene Davidson at 505-474-3458 or through the New Mexico Relay Network, 1-800-659-1779 by August 21, 2006. Public documents including the agenda and minutes, can be provided in various accessible forms. Please contact Florene Davidson if a summary or other type of accessible form is needed.

STATE OF NEW MEXICO TO:
All named parties and persons
having any right, title, interest
or claim in the following cases
and notice to the public.

(NOTE: All land descriptions herein refer to the New Mexico Principal Meridian whether or not so stated.)

CASE 13767

Application of Western Minerals & Oil Ltd. for Approval of a Pilot Project for Purposes of Determining Proper Well Density and Well Location Requirements in the South Blanco-Pictured Cliffs Gas Pool, San Juan County, New Mexico. Applicant in the above-styled cause seeks authorization to conduct a pilot project in the SW/4 of Section 24 by producing the Marron Well No. 6 (API No. 30-045-21323) located in Unit M at a standard location 1520 feet from the South line and 1670 feet from the West line of said Section 24 and its Marron Well No. 1 (API No. 30-045-04310) located in Unit K at an unorthodox well location 380 feet from the South line and 345 feet from the West line in Section 24, Township 27 North, Range 8 West, NMPM in a standard 160-acre spacing unit for the purposes of determining proper well density and well location requirements in the South Blanco-Pictured Cliffs Gas Pool. Said unit is located approximately 12 miles south of Blanco, New Mexico.

Given under the Seal of the State of New Mexico Oil Conservation Commission at Santa Fe, New Mexico on this 2nd day of August 2006.

STATE OF NEW MEXICO OIL CONSERVATION DIVISION

Mark E. Pesnere, P.E., Director

Legal No. 53844 published in The Daily Times, Farmington, New Mexico on Monday, August 07, 2006.

U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$ 0.87
Certified Fee	2.40
Return Receipt Fee (Endorsement Required)	1.85
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 5.12

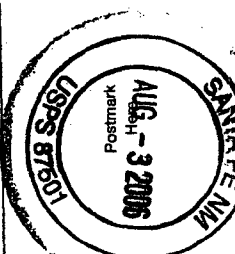
Sent To Burlington Resources Oil & Gas

Co.

P. O. Box 4289

Farmington, NM 87499

PS Form 3800



U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only, No Insurance Coverage Provided)

OFFICIAL USE

Postage	\$ 2.40
Certified Fee	1.85
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

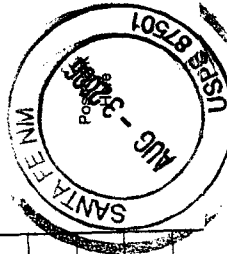
Sent To ConocoPhillips

Three West Lake Park, WL 3003

Post Office Box 2197

Houston, TX 77252

PS Form 3800



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Burlington Resources Oil & Gas
Co.

P. O. Box 4289

Farmington, NM 87499

2. Article Number (Copy from

7001 1140 0002 9558 9930

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

ConocoPhillips
Three West Lake Park, WL 3003
Post Office Box 2197
Houston, TX 77252

2. Article Number (Copy from

7001 1140 0002 9558 9947

PS Form 3811, July 1999

Domestic Return Receipt

102595-00-M-0952

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A. Received by (Please Print Clearly)

B. Date of Delivery

8-7-06

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☐ Yes

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B. Date of Delivery

11/11/06 AUG 8 2006

C. Signature

☐ Agent

☐ Addressee

D. Is delivery address different from item 1?

If YES, enter delivery address below:

3. Service Type

☒ Certified Mail

☐ Registered

☐ Insured Mail

☐ Restricted Delivery? (Extra Fee)

☐ Yes